

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: February 24, 2012

ANALYST: Robin Kelly

- I. COMMITTEE: Schiff for Senate
C00468199
Andrew Schiff, Treasurer
P.O. Box 1134
Weston, CT 06883
- II. RELEVANT STATUTES: 11 CFR §104.3(a) and (b)
2 U.S.C. § 434(b)(2) and (4)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Schiff for Senate ("the Committee") amended its 2010 12 Day Pre-Primary, 2010 October Quarterly and 2010 Year End Reports to disclose additional receipts of \$22,458.84 and additional disbursements of \$242,854.07, which were not reported in the original reports (Attachments 1 and 2).

2010 12 Day Pre-Primary Report

On July 29, 2010, the Committee filed the original 2010 12 Day Pre-Primary Report covering the period from July 1, 2010 through July 21, 2010. The report disclosed \$22,396.33 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals) of the Detailed Summary Page (Image 10020582830).

On August 12, 2011, the Committee filed an Amended 2010 12 Day Pre-Primary Report. The report disclosed \$23,528.59 in receipts on Line 11(a)(ii) of the Detailed Summary Page, an increase of \$1,132.26 from the original report (Image 11020323880, Attachment 3). The Committee included a cover letter referencing the Amended 2010 12 Day Pre-Primary, 2010 October Quarterly, and 2010 Year End Reports, among other reports, which stated, in part:

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"The committee had utilized the expertise of the firm Huckaby, Davis and Lisker until just after the Primary election. After the Primary election loss, the committee was looking for ways to reduce costs and turned the reporting duties over to a campaign staffer. Unfortunately, that individual did not have the accounting and compliance skills necessary to properly file the FEC Disclosure Reports.

Recently the committee found an individual who was able to prepare amended FEC Reports and tie the cash balances to the bank reconciliations. I have attached the summary worksheets that demonstrate how the numbers tie together" (Image 11020323877).

2010 October Quarterly Report

On October 15, 2010, the Committee filed the original 2010 October Quarterly Report covering the period from July 22, 2010 through September 30, 2010. The report disclosed \$130,051.24 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals) and \$3,354.41 in receipts on Line 14 (Offsets to Operating Expenditures) of the Detailed Summary Page (Image 10020732786). The report also disclosed \$721,901.99 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 10020732787).

On August 12, 2011, the Committee filed an Amended 2010 October Quarterly Report. The report disclosed \$136,367.53 in receipts on Line 11(a)(ii) and \$3,625.09 in receipts on Line 14 of the Detailed Summary Page, a total increase in receipts of 6,586.97 from the original report (Image 11020323941, Attachment 3). The report also disclosed \$964,756.06 in disbursements on Line 17 of the Detailed Summary Page, an increase of 242,854.07 from the original report (Image 11020323942, Attachment 4).

On September 7, 2011, Scott Mackenzie, a consultant for the Committee, called the Reports Analysis Division (RAD) Analyst stating that the Committee would like to terminate. The RAD Analyst explained the Committee would be receiving a Request for Additional Information (RAI) regarding the increased activity disclosed on the Amended 2010 October Quarterly Report and that the Committee may be referred for further action. The Analyst advised Mr. Mackenzie that the Committee would not be eligible for termination until the outstanding matter was resolved (Attachment 5).

On October 6, 2011, an RAI was sent to the Committee referencing the Amended 2010 October Quarterly Report, received August 12, 2011. The RAI requested clarification regarding the substantial increase in receipts and disbursements disclosed on the Amended 2010 October Quarterly Report that were not disclosed in the original filing (Image 11330014444).

On November 17, 2011, the Committee filed a Miscellaneous Text Submission ("Form 99") regarding the increases in activity. In part, the Committee stated:

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"The letter is in response to the Commission's Request for Additional Information (RFAI) concerning the amended October Quarterly Report (7/22 - 9/30/2010). The report disclosed an increase in the amount of receipts and disbursements from those on the original report.

The committee had utilized the expertise of the firm Huckaby, Davis and Lisker until just after the Primary election. After the Primary election loss, the committee looked for ways to reduce its costs and turned the reporting duties over to a campaign staffer. Unfortunately, that individual did not have the accounting and compliance skills necessary to properly file the FEC Disclosure Reports.

In August, the committee found an individual who was able to assist in the preparation of the amended FEC Reports and tie the cash balances to the bank reconciliations. The increased activity was the result of having the reports prepared by someone with knowledge of accounting and FEC Report compliance" (Image 11020462006).

2010 Year End Report

On May 11, 2011, the Committee filed the original 2010 Year End Report covering the period from October 1, 2010 through December 31, 2010. The report disclosed \$1,292.04 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals) and \$781.00 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals) of the Detailed Summary Page (Image 11020211543).

On August 12, 2011, the Committee filed an Amended 2010 Year End Report. The report disclosed \$1,550.00 in receipts on Line 11(a)(i) and \$15,262.65 in receipts on Line 11(a)(ii) of the Detailed Summary Page, a total increase in receipts of \$14,739.61 from the original report (Image 11020323969, Attachment 3).

On December 28, 2011, an RFAI was sent to the Committee referencing the Amended 2010 Year End Report, received August 12, 2011. The RFAI requested clarification regarding the substantial increase in receipts disclosed on the Amended 2010 12 Day Pre-Primary and Amended 2010 Year End Reports, received August 12, 2011, that were not disclosed in the original filings (Image 11330017176).

On January 5, 2012, Andrew Schiff, Treasurer, called concerning the receipt of the RFAI dated December 28, 2011, which referenced increases in activity on the Amended 2010 Pre-Primary and 2010 Year End Reports. The Analyst stated that these increases, in addition to the increased activity on the Amended 2010 October Quarterly Report, may be referred for further action. Mr. Schiff stated that the Committee had corrected all the reports and submitted a letter explaining the omissions. The Analyst advised Mr. Schiff that if the Committee would like to submit any additional information to clarify the matter for the public record, they could do so (Attachment 5).

On January 9, 2012, Mr. Mackenzie, called the RAD Analyst. He stated that Mr. Schiff was concerned about the RFAI sent on December 28, 2011, and wanted to know if the Committee should respond further. The Analyst stated the Committee had the option to put additional information on the public record. Mr. Mackenzie stated that the Committee had previously sent in an explanation on how the errors occurred (Attachment 5).

To date, no further communications have been received from the Committee regarding these matters.

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O-Index (2011-2012)													
Candidate: SCHIFF FOR SENATE													
Candidate ID: C00433193													
Candidate Name: ANDREW SCHIFF													
Address: PO BOX 1134 WESTON, CT 06883													
Filing Frequency: QUARTERLY FILER													
Committee: SENATE													
Committee Designation: P-PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE													
Form ID	Receipt ID	Ad	Receipt Date	Pos	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date
Form ID	Receipt ID	Ad	Receipt Date	Pos	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date
MS-T	7/19/2011	3	11030633319	7/22/2010	9/30/2010								
MS-T	7/27/2011	4	11020320581	7/22/2010	9/30/2010								
MS-T	11/17/2011	4	11020482008	7/22/2010	9/30/2010								
R07	YE	N	2/16/2012	2	12/31/2011	12/31/2011							
F3	Q1	N	11/02/2011	15	11/02/2011	3/31/2011							
F3	Q1	A	8/12/2011	28	11/02/2011	3/31/2011							
F3	Q2	N	7/16/2011	8	11/02/2011	6/30/2011							
F3	Q2	A	8/12/2011	23	11/02/2011	6/30/2011							
F3	Q3	N	10/19/2011	22	11/02/2011	9/30/2011							
Totals													

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Form ID	Receipt ID	Ad	Receipt Date	Pos	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date	Receipt Date
R02	YE	N	4/13/2010	7	10/30/2009	12/31/2009							
R02	Q2	N	8/26/2010	4	10/30/2009	6/30/2010							
R02	Q3	N	8/14/2011	2	11/30/2010	9/30/2010							
R02	Q3	A	10/27/2011	2	11/30/2010	9/30/2010							
R07	YE	N	2/17/2011	2	11/30/2010	12/31/2010							
R02	YE	A	12/28/2011	3	11/30/2010	12/31/2010							
F3	YE	N	1/31/2010	505	10/20/2009	12/31/2009							
F3	YE	A	6/21/2010	5	10/20/2009	12/31/2009							
F3	Q1	N	4/15/2010	477	10/20/2009	3/31/2010							
F3	12C	N	5/7/2010	156	10/20/2009	5/1/2010							
F3	Q2	N	7/15/2010	463	10/20/2009	6/30/2010							
F3	12P	N	7/28/2010	86	10/20/2009	7/21/2010							
F3	12P	A	8/12/2011	8	11/02/2010	7/21/2010							
F3	Q3	N	10/15/2010	444	10/20/2009	9/30/2010							
F3	Q3	A	8/12/2011	28	11/02/2010	9/30/2010							
F3	YE	N	5/11/2011	21	11/02/2010	12/31/2010							
F3	YE	A	8/12/2011	45	11/02/2010	12/31/2010							
F8			5/19/2010	5	10/20/2009								
F8			5/17/2010	5	10/20/2009								
F8			7/27/2010	5	10/20/2009								
F8			7/30/2010	8	10/20/2009								
F8			8/5/2010	5	10/20/2009								
F8			8/6/2010	5	10/20/2009								
F2		N	10/6/2009	4	29/2009								
F1		N	10/6/2009	7	29/2009								
Totals													

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Committee ID: C00463199		Committee Name: SCHIFF FOR SENATE		Address: PO BOX 1134 WESTON, CT 06883		Filing Frequency: QUARTERLY FILER	
Treasurer Name: ANDREW SCHIFF		Committee Designation: PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE		Begin Date: 1/1/2011		End Date: 12/31/2011	
Form To: Rpt 1p		Form Type: S (SENATE)		Page: 1 of 1		Page: 1 of 1	
Receipts		Disbursements		Debits		Credits	
Total		Total		Total		Total	

No records were found for this cycle.

Schiff for Senate (C00468199)

Overview of Additional Receipts

Report Name	Total Additional Receipts	Line Number(s)
2010 12 Day Pre-Primary Report/Amended 2010 12 Day Pre-Primary Report, received 8/12/11	\$1,132.26	11(a)(ii)
2010 October Quarterly Report/Amended 2010 October Quarterly Report, received 8/12/11	\$6,586.97	11(a)(ii), 14
2010 Year End Report/Amended 2010 Year End Report, received 8/12/11	\$14,739.61	11(a)(i), 11(a)(ii)
Total Additional Receipts	\$22,458.84	

Overview of Additional Disbursements

Report Name	Total Additional Disbursements	Line Number(s)
2010 October Quarterly Report/Amended 2010 October Quarterly Report, received 8/12/11	\$242,854.07	17
Total Additional Disbursements	\$242,854.07	

Total Increase in Activity on Amended Reports: \$265,312.91

Additional Receipts by Line Number**2010 12 Day Pre-Primary Report/Amended 2010 12 Day Pre-Primary Report, received 8/12/11**

Report Line	2010 12 Day Pre-Primary Report (Image 11020582830)	Amended 2010 12 Day Pre-Primary Report received 8/12/11 (Image 11020323889)	Variance Amount
Line 11(a)(ii): Unitemized Contributions from Individuals	\$22,396.33	\$23,528.59	\$1,132.26
		Total Variance:	\$1,132.26

2010 October Quarterly Report/Amended 2010 October Quarterly Report, received 8/12/11

Report Line	2010 October Quarterly Report (Image 11020732786)	Amended 2010 October Quarterly Report received 8/12/11 (Image 11020323941)	Variance Amount
Line 11(a)(ii): Unitemized Contributions from Individuals	\$130,051.24	\$136,367.53	\$6,316.29
Line 14: Offsets to Operating Expenditures	\$3,354.41	\$3,625.09	\$270.68
		Total Variance:	\$6,586.97

2010 Year End Report/Amended 2010 Year End Report, received 8/12/11

Report Line	2010 Year End Report (Image 11020211543)	Amended 2010 Year End Report received 8/12/11 (Image 11020323969)	Variance Amount
Line 11(a)(i): Itemized Contributions from Individuals	\$1,292.04	\$1,550.00	\$257.96
Line 11(a)(ii): Unitemized Contributions from Individuals	\$781.00	\$15,262.65	\$14,481.65
		Total Variance:	\$14,739.61

Additional Disbursements by Line Number**2010 October Quarterly Report/Amended 2010 October Quarterly Report, received 8/12/11**

Report Line	2010 October Quarterly Report 1002032787	Amended 2010 October Quarterly Report, received 8-12-11 (11020323942)	Variance Amount
Line 17: Operating Expenditures	\$721,901.99	\$964,756.06	\$242,854.07
		Total Variance:	\$242,854.07

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